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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,038	05/12/2005	Steffen Armbruster	2002P17939WOUS	3563

7590 11/21/2009
Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

PRAKASAM, RAMYA G

ART UNIT	PAPER NUMBER
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3651

MAIL DATE	DELIVERY MODE
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11/21/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte STEFFEN ARMBRUSTER

Application 10/535,038
Technology Center 3600

Mailed: November 23, 2009

Before *JOYCE GUNTER-RILEY, Review Paralegal.*

GUNTER-RILEY, Review Paralegal

ORDER RETURNING UNDOCKETED APPEAL

This application was electronically received by the Board of Patent Appeals and Interferences on November 16, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

EXAMINER'S ANSWER, HEADINGS

A review of the file indicates that the Examiner's Answer filed July 21, 2009 does not comply with the guidelines provided in MPEP § 1207.02 because it does not contain all of the required heading items. Specifically, the Examiner's Answer must contain the following heading items in the following order:

(11) *Related Proceedings Appendix*..

An in-depth review of the Examiner's Answer indicates that the following sections are missing from the Examiner's Answer mailed July 21, 2009 and/or are not complete or clear in setting forth agreement or disagreement with the Appeal Brief:

11) "Related Proceedings Appendix",

A substitute Examiner's Answer that is in compliance with the guidelines is required. *See also Manual of Patent Examining Procedure* (MPEP) § 1207.02 (8th ed. Rev. 6, Sept 2007) for details.

CONCLUSION

Accordingly, it is hereby

ORDERED that the application is returned to the Examiner for further consideration.

- 1) to vacate the Examiner's Answer mailed July 21, 2009;
- 2) to generate a new Examiner's Answer in compliance with the guidelines; and
- 3) for such further action as may be required.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797

/jgr/

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